

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claim 1 has been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-6, 8-17, and 19-21 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116:

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because:

(a) it is believed that the amendment of claim 1 puts this application into condition for allowance;

(b) the amendment was not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed;

(c) the amendment of claim 1 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised;

(d) the amendment does not significantly alter the scope of the claims and places the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

RESPONSE TO AMENDMENT:

In the Office Action, at pages 2-3, numbered paragraphs 2-3, it was noted that claim 1 did not comply with 37 CFR 1.121(c) because the word "controlling" was inserted into claim 1 without underlining. The amendment to claim 1 has been amended to show that the word "controlling" was inserted into claim 1. Applicants apologize for this typographical error.

Hence, claim 1 is now submitted to comply with 37 CFR 1.121(c).

EXAMINER'S RESPONSE TO ARGUMENTS:

In the Office Action, at pages 3-4, the Examiner submitted arguments in response to Applicants' argument filed January 16, 2007.

In view of the arguments submitted below, the Examiner's concerns are submitted to be overcome.

REJECTION UNDER 35 U.S.C. §103:

A. In the Office Action, at pages 5-13, numbered paragraph 10, claims 1-6, 8-17 and 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ohyama et al. (USPN 5,751,373; hereafter, Ohyama) in view of Song (USPN 5,691,778; hereafter, Song). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

It is respectfully submitted that the Examiner is inadvertently mis-construing the teachings of Song. That is, if one reads the entire paragraph, col. 2, lines 35-45, set forth below for the convenience of the Examiner, it is clear that Song does not provide a categorization of functions due to their frequency of use:

By perceiving the above problems, **a simplified remote controller is provided**, wherein the frequently used input keys related with power, channel and volume are only used under the normal conditions. **When a graphic-remote controller key (on the remote controller) is operated**, the screen of the double-wide television set is divided into two sub-screens and **the remote controller graphic information (graphic-remote controller) is displayed** on one sub-screen, **whereby the A/V complex can be easily controlled** by moving a cursor placed on the sub-screen. (emphasis added)

That is, it is clear that Song provides a simplified remote controller whose volume and channel keys are utilized for changing a volume or a channel for the television, and a set of keys (61, 62, 63, and 64) that are used in conjunction with the graphic-remote controller key (60) to control a selected one of an A/V complex, i.e., a TV (61), an 8 mm recorder (62), a VHS videocassette recorder (64) or a CD system (64). The selection of one of the A/V keys, together with the selection of the graphic remote controller key (60) results in a screen display of control keys that may be utilized to control the selected A/V device. Hence, it is respectfully submitted that the distinction by Song is not that certain control functions of the television are frequently used and certain control functions of the television are less frequently used, but rather that certain general control functions of the television are generally used in operating the television, and the user may also desire to use similar functions to control an A/V device by using the graphic-remote controller. Hence, the control of the various A/V devices is made available

through the use of the graphic remote controller key (60). As may be seen from a comparison of FIGs. 6A and 6B, both the simplified remote controller and the graphic remote controller provide a selection of volume and channel. The selections on the graphic remote controller allow selection of the desired function for the selected A/V unit. Hence, the invention of Song does not provide a hierarchy of TV control functions, but rather allows (1) selection of general TV control functions from a simplified remote controller or (2) selection of control functions for a selected one of a group of A/V devices (including a TV) from a graphic remote controller.

As stated in Song, col. 10, lines 6-16:

As described above, an A/V system including a double-wide television set, a double-deck videocassette recorder and a CD-OK system which are collectively controlled therein, can be obtained. (emphasis added)

Also, in the remote controller of the double-wide television set having the double-deck videocassette recorder and CD-OK system, the graphic-remote controller is displayed on the sub-screen using an extra simplified remote controller, so that the double-wide television set can be easily controlled. (emphasis added)

Hence, it is respectfully submitted that Song does not teach or suggest categorizing additional function information based on their frequency of use, but rather teaches that a graphic remote control may be used to select a desired function of a selected A/V unit. **Both** the simplified remote controller and the graphic remote controller **provide a selection of volume and channel.** That is, there is no distinction of frequency of use of functions between the use of the simplified remote controller and the use of the graphic remote controller because both the volume selection and the channel selection are provided on both types of controllers. Thus, there is also no teaching or suggesting by Song that the purpose of the graphic remote control is to access infrequently used input keys.

The Examiner admits that Ohyama does not expressly disclose that the additional function information stored in the memory unit is categorized as such based on the frequency of use of the information.

Hence, neither Song nor Ohyama bases the selections on the graphic-remote controller on additional function information of the image processing apparatus determined based on a frequency of use of the image processing apparatus wherein additional function information stored in a memory unit is categorized as such based on the frequency of use of the information, as is disclosed in the present claimed invention (see independent claims 1, 13 and 20).

Thus, it is respectfully submitted that independent claims 1, 13, and 20 are patentable under 35 U.S.C. §103(a) over Ohyama et al. (USPN 5,751,373) in view of Song (USPN 5,691,778). Since claims 2-6, 8-12, 14-17, and 19 depend from amended claims 1 and 13,

respectively, claims 2-6, 8-12, 14-17, and 19 are patentable under 35 U.S.C. §103(a) over Ohyama et al. (USPN 5,751,373) in view of Song (USPN 5,691,778) for at least the reasons claims 1 and 13 are patentable under 35 U.S.C. §103(a) over Ohyama et al. (USPN 5,751,373) in view of Song (USPN 5,691,778).

B. In the Office Action, at pages 14-15, numbered paragraph 11, claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ohyama et al. (USPN 5,751,373; hereafter, Ohyama) in view of Chang et al. (US 2003/0090515; hereafter, Chang). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

It is respectfully submitted that Ohyama does not expressly disclose that the additional function information stored in the memory unit is categorized as such based on the frequency of use of the information. Hence, Ohyama does not teach or suggest a controller differentiating between major functions and additional functions in response to receiving a signal from the remote control, and causing additional function information to be displayed, and causing an additional function that is selected based on the displayed additional function information to be performed if a remote control signal received via the remote control is a signal for requesting the additional function information, and controls a function corresponding to a major function information to be performed if the remote control signal is the major function information, as is recited in claim 21 of the present invention.

It is respectfully submitted that Chang teaches an adaptive user interface that monitors the usage statistics of features and changes the available features to remove less-used features displayed to the user and to reconfigure the display with added features. In contrast, claim 21 of the present invention sets forth: "...a controller differentiating between major functions and additional functions in response to receiving a signal from the remote control, and causing additional function information to be displayed, and causing an additional function that is selected based on the displayed additional function information to be performed if a remote control signal received via the remote control is a signal for requesting the additional function information, and controls a function corresponding to a major function information to be performed if the remote control signal is the major function information..." That is, claim 21 of the present invention differentiates between major functions and additional functions, but does not remove features from the available selections. Hence, claim 21 is not taught or suggested by Chang.

Thus, it is respectfully submitted that amended claim 21 of the present invention is patentable under 35 U.S.C. §103(a) over Ohyama et al. (USPN 5,751,373) in view of Chang et al. (US 2003/0090515).

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

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By:

Darleen J. Stockley
Darleen J. Stockley
Registration No. 34,257

1201 New York Avenue, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501